

By

Andrew - Meier
AM

S.B. No. 216

A BILL TO BE ENTITLED

AN ACT

relating to the establishment of the Texas College of Osteopathic Medicine as a separate institution under the governance of the Board of Regents of North Texas State University; amending Chapter 105, Texas Education Code, by adding Subchapter E; and declaring an emergency.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

Section 1. Chapter 105, Texas Education Code, is amended by adding Subchapter E to read as follows:

"SUBCHAPTER E. TEXAS COLLEGE OF OSTEOPATHIC MEDICINE

"Sec. 105.71. ESTABLISHMENT OF COLLEGE OF OSTEOPATHIC MEDICINE. (a) There is hereby created a college of osteopathic medicine in the city of Fort Worth to be known as the Texas College of Osteopathic Medicine, a separate institution and not a department, school, or branch of North Texas State University, but under the direction, management, and control of the Board of Regents of North Texas State University.

"(b) The board shall have the same powers of direction, management, and control over the college of osteopathic medicine that it exercises over the North Texas State University, but the board shall act separately and independently on all matters affecting the college of osteopathic medicine as a separate institution.

"Sec. 105.72. LOCATION. The board shall select a site for the college in Tarrant County. The initial site shall be acquired by donation at no cost to the state.

Sec. 105.73. RULES AND REGULATIONS; COURSES. (a) The board may make rules and regulations for the direction, control, and management of the medical school which are necessary for it to be a medical school of the highest quality.

(b) The board, *De* with the approval of the Coordinating Board, Texas College and University System *De*, may prescribe courses leading to the customary degrees and certificates granted by osteopathic medical schools.

Sec. 105.74. CHIEF EXECUTIVE OFFICER. The chief executive officer of the university shall serve as chief executive officer of the college of osteopathic medicine.

Sec. 105.75. TEACHING HOSPITAL; FACILITIES. (a) A complete teaching hospital for the medical school shall be furnished at no cost or expense to the state.

(b) The board shall make provision for adequate physical facilities for use by the medical school in its teaching and research programs.

Sec. 105.76. JOINT APPOINTMENTS. The Board of Regents is specifically authorized to make joint appointments in the university and The College of Osteopathic Medicine under its governance; the salary of any such person who receives such joint appointment to be apportioned to the appointing institution on the basis of services rendered. $\frac{2}{3}$

Sec. 105.77. AGREEMENTS WITH OTHER ENTITIES. The board may execute and carry out affiliation or coordinating agreements with any other entity, school, or institution in Texas to provide clinical, postgraduate, including internship and residency, or other levels of medical educational work for the medical school.

9
Sec. 105.78. GIFTS AND GRANTS. The board may accept and administer grants and gifts from the federal government, and *from any* ^{mt} ² foundation, trust fund, corporation, or any individual or organization for the use and benefit of the medical school.

Sec. 105.79. SUPERVISION BY COORDINATING BOARD. The medical school is subject to the continuing supervision of and to the rules and regulations of the Coordinating Board, Texas College and University System, in accordance with the provisions of Chapter 61 of this code.⁴

Sec. 2. The importance of this legislation and the crowded condition of the calendars in both houses create an emergency and an imperative public necessity that the ~~Constitutional~~ Rule requiring bills to be read on three several days in each house be suspended, and this rule is hereby suspended, and that this Act take effect and be in force from and after its passage, and it is so enacted.

no change in

caption.

4.5.3-6-75

By: Andujar, Meier, Creighton

S.B. No. 216

(In the Senate - Filed February 3, 1975; February 4, 1975, read first time and referred to Committee on State Affairs; February 27, 1975, re-referred to Committee on Education; March 5, 1975, reported favorably, as amended; March 5, 1975, sent to printer.)

COMMITTEE AMENDMENT NO. 1

By: Snelson

Amend Senate Bill 216 by inserting in Section 105.77 at the beginning of the first sentence the following:

"After approval of the Coordinating Board, Texas College and University System, the Board of Regents may execute"...

COMMITTEE AMENDMENT NO. 2

By: Williams

Amend Senate Bill 216, as introduced, by adding the words "from any" after the word "and" at the end of the second sentence of Section 105.78 on page 2.

A BILL TO BE ENTITLED

AN ACT

relating to the establishment of the Texas College of Osteopathic Medicine as a separate institution under the governance of the Board of Regents of North Texas State University and under the supervision of the Coordinating Board, Texas College and University System; amending Chapter 105, Texas Education Code, by adding Subchapter E; and declaring an emergency.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

Section 1. Chapter 105, Texas Education Code, is amended by adding Subchapter E to read as follows:

SUBCHAPTER E. TEXAS COLLEGE OF OSTEOPATHIC MEDICINE

Section 105.71. ESTABLISHMENT OF COLLEGE OF OSTEOPATHIC MEDICINE. (a) There is hereby created a college of osteopathic medicine in the city of Fort Worth to be known as the Texas College of Osteopathic Medicine, a separate institution and not a department, school, or branch of North Texas State University, but under the direction, management, and control of the Board of Regents of North Texas State University.

(b) The board shall have the same powers of direction, management, and control over the college of osteopathic medicine that it exercises over the North Texas State University, but the board shall act separately and independently on all matters affecting the college of osteopathic medicine as a separate institution.

Section 105.72. LOCATION. The board shall select a site for the college in Tarrant County. The initial site shall be acquired by donation at no cost to the state.

Section 105.73. RULES AND REGULATIONS; COURSES. (a) The board may make rules and regulations for the direction, control, and management of the medical school which are necessary for it to be a medical school of the highest quality.

(b) The board with the approval of the Coordinating Board, Texas College and University System may prescribe courses leading to the customary degrees and certificates granted by osteopathic medical schools.

Section 105.74. CHIEF EXECUTIVE OFFICER. The chief executive officer of the university shall serve as chief executive officer of the college of osteopathic medicine.

Section 105.75. TEACHING HOSPITAL; FACILITIES. (a) A complete teaching hospital for the medical school shall be furnished at no cost or expense to the state.

(b) The board shall make provision for adequate physical facilities for use by the medical school in its teaching and research programs.

Section 105.76. JOINT APPOINTMENTS. The board of regents

Committee Amendment #1

By: Snelson

note
Amend S.B. 216 by inserting in Sec. *tion* 105.77 at the beginning of
the first sentence the following:

After approval of the Coordinating Board, Texas College
and University System, the Board of Regents may
~~execute~~....

ADOPTED

MAR 17 1975

Charles Schwab

Secretary of the Senate

Insert ①

Committee Amendment No. ~~2~~

Willis
by Andujar

meta
← Amend S.B. 216, as introduced, by adding the words
"from any" after the word "and" at the end of the second
sentence of Section 105.78 on page 3. *2*

ms

ADOPTED

MAR 17 1975

Robert Schnabel
Secretary of the Senate

Insert
2
A-2

by Andujar

Committee Amendment No. 1

Amend S.B. 216, as introduced, by adding the words "from any" after the word "and" at the end of the second sentence of Section 1.05.78 on page 3.

_____ AMENDMENT NO. _____ BY *Paulson* _____

Amend Senate Bill No. 216 by deleting therefrom the second full sentence of Section 105.72 where it appears in Section 1 of the bill, and substituting in lieu thereof the following:

⁴²The site shall consist of land that shall be provided for such purpose without cost to the State of Texas.⁴³

ADOPTED

MAR 17 1975

Charles Schmidt
Secretary of the Senate



Amend caption to conform to body
of bill.

ADOPTED

MAR 17 1975

Charles Schuabel

Secretary of the Senate

44

5m2

19 Engrossed

Engrossing Clerk

By: Andujar, et al.

S.B. No. 216

A BILL TO BE ENTITLED

AN ACT

relating to the establishment of the Texas College of Osteopathic Medicine as a separate institution under the governance of the Board of Regents of North Texas State University and under the supervision of the Coordinating Board, Texas College and University System; amending Chapter 105, Texas Education Code, by adding Subchapter E; and declaring an emergency.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

Section 1. Chapter 105, Texas Education Code, is amended by adding Subchapter E to read as follows:

SUBCHAPTER E. TEXAS COLLEGE OF OSTEOPATHIC MEDICINE

Section 105.71. ESTABLISHMENT OF COLLEGE OF OSTEOPATHIC MEDICINE. (a) There is hereby created a college of osteopathic medicine in the city of Fort Worth to be known as the Texas College of Osteopathic Medicine, a separate institution and not a department, school, or branch of North Texas State University, but under the direction, management, and control of the Board of Regents of North Texas State University.

(b) The board shall have the same powers of direction, management, and control over the college of osteopathic medicine that it exercises over the North Texas State University, but the board shall act separately and independently on all matters affecting the college of osteopathic medicine as a separate institution.

Section 105.72. LOCATION. The board shall select a site

1 for the college in Tarrant County. The site shall consist of
2 land that shall be provided for such purpose without cost to the
3 State of Texas.

4 Section 105.73. RULES AND REGULATIONS; COURSES. (a) The
5 board may make rules and regulations for the direction, control,
6 and management of the medical school which are necessary for it
7 to be a medical school of the highest quality.

8 (b) The board, with the approval of the Coordinating Board,
9 Texas College and University System, may prescribe courses leading
10 to the customary degrees and certificates granted by osteopathic
11 medical schools.

12 Section 105.74. CHIEF EXECUTIVE OFFICER. The chief
13 executive officer of the university shall serve as chief executive
14 officer of the college of osteopathic medicine.

15 Section 105.75. TEACHING HOSPITAL; FACILITIES. (a) A
16 complete teaching hospital for the medical school shall be
17 furnished at no cost or expense to the state.

18 (b) The board shall make provision for adequate physical
19 facilities for use by the medical school in its teaching and
20 research programs.

21 Section 105.76. JOINT APPOINTMENTS. The board of regents
22 is specifically authorized to make joint appointments in the
23 university and the Texas College of Osteopathic Medicine under
24 its governance; the salary of any such person who receives such
25 joint appointment to be apportioned to the appointing institution
26 on the basis of services rendered.

S.B. No. 216

1 Section 105.77. AGREEMENTS WITH OTHER ENTITIES. After
2 approval of the Coordinating Board, Texas College and University
3 System, the board of regents may execute and carry out affiliation
4 or coordinating agreements with any other entity, school, or
5 institution in Texas to provide clinical, postgraduate, including
6 internship and residency, or other levels of medical educational
7 work for the medical school.

8 Section 105.78. GIFTS AND GRANTS. The board may accept
9 and administer grants and gifts from the federal government, and
10 from any foundation, trust fund, corporation, or any individual
11 or organization for the use and benefit of the medical school.

12 Section 105.79. SUPERVISION BY COORDINATING BOARD. The
13 medical school is subject to the continuing supervision of and
14 to the rules and regulations of the Coordinating Board, Texas
15 College and University System, in accordance with the provisions
16 of Chapter 61 of this code.

17 Sec. 2. The importance of this legislation and the crowded
18 condition of the calendars in both houses create an emergency and
19 an imperative public necessity that the constitutional rule
20 requiring bills to be read on three several days in each house
21 be suspended, and this rule is hereby suspended, and that this
22 Act take effect and be in force from and after its passage, and
23 it is so enacted.

COMMITTEE REPORT

THE HONORABLE BILL CLAYTON
SPEAKER OF THE HOUSE OF REPRESENTATIVES

Date

4/29

SIR:

We, your COMMITTEE ON

Higher Education

to whom was referred

SB-216

(measure)

have had the same under consideration and beg to report back with the recommendation that it

(☒) do pass, without amendment.

(☐) do pass, with amendment(s).

(☐) do pass and be not printed; a committee substitute is recommended in lieu of the original measure.

~~The Committee recommends that this measure be placed on the (Local / Consent) Calendar.~~

This measure

(☒)
(☐)

proposes new law.

amends existing law.

House Sponsor of Senate Measure:

Lewis

The measure was reported from Committee by the following Record Vote:

11
0
0
0

ayes

nays

present, not voting

absent

Erud Head

Chairman

Return with Original Measure

BILL ANALYSIS

Background Information:

In Chapter 61, Subchapter E, Sections 61.201, 61.202, 61.203, and 61.204, the Coordinating Board is given the authority to contract with the Texas College of Osteopathic Medicine for preparation of Texas residents as doctors of osteopathy so long as there are no public schools of osteopathic medicine. Texas College of Osteopathic Medicine is presently contracting with North Texas State University to provide basic health science courses for the first two years of its program. The Coordinating Board has recommended this legislation, and proponents feel it's an advantageous way of producing quality doctors of osteopathy to meet the increasing demand for physician manpower.

What the Bill Proposes to Do:

Establishes the Texas College of Osteopathic Medicine under the governance of the Board of Regents of North Texas State University.

Section by Section Analysis:

Section 1: Amends Chapter 105, Texas Education Code, by adding "Subchapter E. Texas College of Osteopathic Medicine."

Section 105.71. Establishes Texas College of Osteopathic Medicine in Fort Worth as a separate institution, not a department or branch of North Texas State University but under the direction and control of the Board of Regents of North Texas State University. Provides that the Board shall have the same powers of direction over the college as over the university, but that it shall act separately and independently on matters affecting the college of osteopathic medicine.

Section 105.72. The Board shall select a site in Tarrant County with no cost to the State.

Section 105.73. The Board may make necessary rules and regulations and with the approval of the Coordinating Board may prescribe courses leading to customary degrees and certificates granted by osteopathic schools.

Section 105.74. The chief executive officer of the university shall serve as the chief executive officer of the college of osteopathic medicine.

Section 105.75. A complete teaching hospital shall be furnished at no cost to the State. The Board shall make provision for adequate physical facilities for teaching and research.

Section 105.76. The Board may make joint appointments to the university and the college with the salary being apportioned on basis of services rendered.

Section 105.77. With the approval of the Coordinating Board, the Board of Regents may enter into affiliations or agreements with other institutions in Texas to provide other levels of medical educational work for the school.

Section 105.78. The Board may accept gifts and grants.

Section 105.79. The medical school is subject to continuing supervision by the Coordinating Board in accordance with the provisions of Chapter 61.

Section 2. Emergency Clause.

Summary of Committee Action:

Summary of Committee Action:

The Committee posted notice in accordance with Rule VIII, Section 13, and considered Senate Bill No. 216 in a (public hearing)
on April 29, 1975. ~~formal meeting~~

~~The measure was referred to subcommittee and reported back favorably (with)~~
~~amendments on~~ _____, 1975. ~~without~~

The Committee voted, on April 29, 1975,
by a record vote of 11 ayes and 0 nays, to report
the measure back to the House favorably (~~with~~) amendments.
~~without~~
without

LEGISLATIVE BUDGET BOARD

Austin, Texas

FISCAL NOTE

April 28, 1975

Honorable Fred Head, Chairman
Committee on Higher Education
House of Representatives
Austin, Texas

In Re: Senate Bill No. 216, Engrossed
By: Andujar, et al

Sir:

In response to your request and pursuant to House Rule VIII, Section 27, this office finds the fiscal implications of Senate Bill No. 216, engrossed (relating to the establishment of Texas College of Osteopathic Medicine as a separate institution under the governance of the Board of Regents of North Texas State University) to be as follows:

1. The bill would make no appropriation but would constitute prior legislative authorization for an appropriation to be made.
2. The bill would place the Texas College of Osteopathic Medicine under the control of the North Texas State University governing board and supervision of the Coordinating Board, Texas College and University System and authorize financing of new building costs from general revenue.

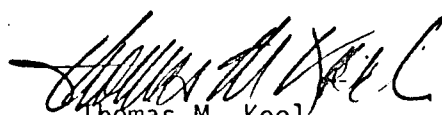
The bill would fund all elements of cost of operating this school. Currently the State makes a grant on a per Texas resident student basis for four elements of cost--General Administration and Student Services, Faculty Salaries, Departmental Operating Expense, and Library, as provided by Senate Bill No. 160, 62nd Legislature, Regular Session. The budgeted amount for fiscal 1975 is \$1,906,172; the General Appropriations Bill (House Bill No. 336) includes a recommended amount of \$3,038,028 for fiscal 1976 and \$3,398,472 for fiscal 1977.

Enrollment at Texas College of Osteopathic Medicine currently is 234 students. Enrollment in 1980 is projected at 328; 90% of these students are Texas residents.

3. The costs attributable to the bill are estimated as follows:

	<u>1976</u>	<u>1977</u>	<u>1978</u>	<u>1979</u>	<u>1980</u>
Total, Educational and General Expenses, including Plant Operation and necessary rent	\$ 5,393,502	\$ 4,901,625	\$ 6,030,252	\$ 6,433,353	\$ 8,333,000
Less Estimated Income	<u>(102,230)</u>	<u>(111,235)</u>	<u>(119,800)</u>	<u>(126,115)</u>	<u>(144,200)</u>
Net General Revenue request for educational operations	\$ 5,291,272	\$ 4,790,390	\$ 5,910,452	\$ 6,307,238	\$ 8,188,800
Average number of students	234	254	272	284	328
Land, Building and Site Improvements	<u>16,146,965</u>	<u>2,881,595</u>	<u>16,634,940</u>	<u>3,030,265</u>	<u>-</u>
Total, General Revenue Request	\$ 24,438,237	\$ 7,671,985	\$ 22,545,392	\$ 9,337,503	\$ 8,188,800

4. Similar annual costs will continue as long as the provisions of the bill are in effect.


Thomas M. Keel
Director

Enrolled <i>Jan 11 1978</i>
<i>[Signature]</i>
Enrolling Clerk

S.B. No. 216

AN ACT

relating to the establishment of the Texas College of Osteopathic Medicine as a separate institution under the governance of the Board of Regents of North Texas State University and under the supervision of the Coordinating Board, Texas College and University System; amending Chapter 105, Texas Education Code, by adding Subchapter E; and declaring an emergency.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

Section 1. Chapter 105, Texas Education Code, is amended by adding Subchapter E to read as follows:

SUBCHAPTER E. TEXAS COLLEGE OF OSTEOPATHIC MEDICINE

Section 105.71. ESTABLISHMENT OF COLLEGE OF OSTEOPATHIC MEDICINE. (a) There is hereby created a college of osteopathic medicine in the city of Fort Worth to be known as the Texas College of Osteopathic Medicine, a separate institution and not a department, school, or branch of North Texas State University, but under the direction, management, and control of the Board of Regents of North Texas State University.

(b) The board shall have the same powers of direction, management, and control over the college of osteopathic medicine that it exercises over the North Texas State University, but the board shall act separately and independently on all matters affecting the college of osteopathic medicine as a separate institution.

Section 105.72. LOCATION. The board shall select a site

1 for the college in Tarrant County. The site shall consist of
2 land that shall be provided for such purpose without cost to the
3 State of Texas.

4 Section 105.73. RULES AND REGULATIONS; COURSES. (a) The
5 board may make rules and regulations for the direction, control,
6 and management of the medical school which are necessary for it
7 to be a medical school of the highest quality.

8 (b) The board, with the approval of the Coordinating Board,
9 Texas College and University System, may prescribe courses leading
10 to the customary degrees and certificates granted by osteopathic
11 medical schools.

12 Section 105.74. CHIEF EXECUTIVE OFFICER. The chief
13 executive officer of the university shall serve as chief executive
14 officer of the college of osteopathic medicine.

15 Section 105.75. TEACHING HOSPITAL; FACILITIES. (a) A
16 complete teaching hospital for the medical school shall be
17 furnished at no cost or expense to the state.

18 (b) The board shall make provision for adequate physical
19 facilities for use by the medical school in its teaching and
20 research programs.

21 Section 105.76. JOINT APPOINTMENTS. The board of regents
22 is specifically authorized to make joint appointments in the
23 university and the Texas College of Osteopathic Medicine under
24 its governance; the salary of any such person who receives such
25 joint appointment to be apportioned to the appointing institution
26 on the basis of services rendered.

1 Section 105.77. AGREEMENTS WITH OTHER ENTITIES. After
2 approval of the Coordinating Board, Texas College and University
3 System, the board of regents may execute and carry out affiliation
4 or coordinating agreements with any other entity, school, or
5 institution in Texas to provide clinical, postgraduate, including
6 internship and residency, or other levels of medical educational
7 work for the medical school.

8 Section 105.78. GIFTS AND GRANTS. The board may accept
9 and administer grants and gifts from the federal government, and
10 from any foundation, trust fund, corporation, or any individual
11 or organization for the use and benefit of the medical school.

12 Section 105.79. SUPERVISION BY COORDINATING BOARD. The
13 medical school is subject to the continuing supervision of and
14 to the rules and regulations of the Coordinating Board, Texas
15 College and University System, in accordance with the provisions
16 of Chapter 61 of this code.

17 Sec. 2. The importance of this legislation and the crowded
18 condition of the calendars in both houses create an emergency and
19 an imperative public necessity that the constitutional rule
20 requiring bills to be read on three several days in each house
21 be suspended, and this rule is hereby suspended, and that this
22 Act take effect and be in force from and after its passage, and
23 it is so enacted.

4me
92E

S.B. No. 216

President of the Senate

Speaker of the House

I hereby certify that S.B. No. 216 passed the senate on
March 17, 1975, by the following vote: Yeas 26, Nays 2.

Secretary of the Senate

I hereby certify that S.B. No. 216 passed the house on
May 15, 1975, by the following vote: Yeas 121, Nays 11.

Chief Clerk of the House

Approved:

Date

Governor

4me
97E

S.B. No. 216

President of the Senate

Speaker of the House

I hereby certify that S.B. No. 216 passed the senate on
March 17, 1975, by the following vote: Yeas 26, Nays 2.

Secretary of the Senate

I hereby certify that S.B. No. 216 passed the house on
May 15, 1975, by the following vote: Yeas 121, Nays 11.

Chief Clerk of the House

Approved:

5-22-75

Date

Signed

Governor

FILED IN THE OFFICE OF THE
SECRETARY OF STATE
4:00 PM
..... O'CLOCK

MAY 22 1975

Secretary of State

Relating to the establishment of the Texas College of Osteopathic Medicine as a separate institution under the governance of the Board of Regents of North Texas State University; and declaring an emergency.

2-3-75 Filed with the Secretary of the Senate

FEB 4 1975

Read, referred to Committee on ~~STATE AFFAIRS~~ Education

FEB 26 1975

Reported favorably. as amended

#1

Reported adversely, with favorable Committee Substitute; Committee Substitute read first time.

Ordered not printed.

MAR 17 1975

Senate and Constitutional Rules to permit consideration suspended by

~~unanimous consent.~~

26 years, 1 days.

To permit consideration, reading and passage, Senate and Constitutional Rules suspended by vote of _____ years, _____ days.

MAR 17 1975

Read second time amended and ordered engrossed.
~~passed to third reading.~~

MAR 17 1975

Caption ordered amended to conform to body of bill.

MAR 17 1975

Senate and Constitutional 3-Day Rules suspended by vote of 27 years, 1 days to place bill on third reading and final passage.

MAR 17 1975

Read third time and passed by ~~a viva voce vote.~~
26 years, 2 days.

OTHER ACTION:

FEB 27 1975

RE-REFERRED TO COMMITTEE ON EDUCATION

Secretary of the Senate

MAR 5 1975

Reported Favorably. as amended

Engrossed

Mar. 17, 1975 Sent to HOUSE

ENGROSSING CLERK

MAR 17 1975

Received from
the Senate

Dorothy Hallman
Chief Clerk, House of Representatives

MAR 18 1975

READ 1st TIME
AND REFERRED TO COMMITTEE ON
Higher Education

APR 30 1975

REPORTED FAVORABLY SENT TO PRINTER

PRINTED, DISTRIBUTED AND

REFERRED TO COMMITTEE ON

CALENDARS

9:00
(Time)

P.M.

APR 30 1975

(Date)

MAY 9 1975

Constitutional Rule
Requiring Bills To Be Read On Three
Several Days ~~Failed~~ Failed to Suspe.
By a Four-Fifths Vote.

Yeas 89 Nays 44

MAY 9 1975

Read Second Time,

and passed to third reading by record vote
of 127 ayes, 7 noes.

Dorothy Hallman
Chief Clerk, House of Representatives

Dorothy Hallman
Chief Clerk, House of Representatives

MAY 15 1975

Read third time

and Passed

by following vote yeas

121

Nays

Dorothy Hallman
Chief Clerk
HOUSE OF REPRESENTATIVES

MAY 15 1975

RETURNED TO SENATE